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March 2, 2007

**VIA ELECTRONIC FILING
AND HAND DELIVERY**

The Honorable Joseph J. Farnan, Jr.
USDC for the District of Delaware
844 King Street
Wilmington, DE 19801

Re: *Affymetrix, Inc. v. Illumina, Inc.*, D. Del., C.A. No. 04-901-JJF

Your Honor:

Pursuant to the Court's order, I submit, along with the hard copy of this letter, on behalf of Illumina copies of Affymetrix's proposed demonstrative exhibits for which Illumina has objections. The list of Illumina's specific objections to each of these demonstratives, along with a key explaining these objections, is also enclosed. While there are several objectionable demonstratives, the objections can be grouped into a handful of broad categories: (1) demonstratives that relate to Affymetrix's attempt to inject new and speculative damages theories with respect to 2006 sales, (2) demonstratives that mischaracterize the breadth and impact of Affymetrix's purported inventions, (3) demonstratives that mischaracterize Illumina's products and assays, and (4) demonstratives that seek to inject issues that are irrelevant and prejudicial to the issues to be tried in the phase one trial. Illumina hopes and expects that the Court's rulings on the motions *in limine* and other pending matters at the hearing today will address most, if not all, of the objections with respect to these demonstratives.

We look forward to addressing these matters in more detail with the Court later today.

Respectfully,



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cc: Maryellen Noreika, Esq. (via email w/o exhibits and hand delivery w/exhibits)
Daniel Reed, Esq. (via email w/o exhibits)